IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

WP(C).No. 9318 of 2007(H)

PETITIONER:

SOBI THOMAS,
145, SHINE COTTAGE, POOYAPALLY, KOTTARAKKARA.

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:
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1. THE JOINT REGIONAL TRANSPORT OFFICER,
KOTTARAKKARA.

2. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, KOTTARAKKARA.

3. THE VILLAGE OFFICER,
POOYAPPALLY.

4. MONCY,
BINCY VILLA, KODUMON, ADOOR, PATHANAMTHITTA.

BY GOVERNMENT PLEADER SRI. N.SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.9318 OF 2007-H

Judgment

The petitioner challenges Ext.P2 revenue recovery notice issued to him on 12.04.2006, demanding motor vehicles tax for the vehicle KL-2/C-8787 for the periods mentioned therein. His case is that he has transferred the vehicle in favour of the 4th respondent and therefore, he is not liable to pay any tax. The petitioner earlier approached this Court by filing Writ Petition(C) No.13006/06, challenging Ext.P2 order. The said Writ Petition was dismissed. Again he approached this Court, by filing Writ Petition(C) No.22364/06. This Court disposed of the said Writ Petition by Ext.P4 Judgment, directing the authorities to proceed against the vehicle. It appears, the vehicle is already dismantled by the 4th respondent. Therefore, the police has registered a crime against the 4th respondent as evident from Ext.P5, it is submitted. In this Writ Petition, the petitioner again challenges Ext.P2 revenue recovery notice and seeks consequential reliefs. The challenge against Ext.P2 is barred in view of the Judgments of this Court in Writ Petition (C) Nos.13006/06 and 22364/06. In view of the said position, the present challenge against Ext.P2 with prayer for consequential reliefs, is an abuse of the process of the Court. Accordingly, the Writ Petition is dismissed.

20.03.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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